

Date

Molly Talbot
421 Gretchen Street
New Roads, Louisiana 70760

Re: Ethics Board Docket No. 2021-134

Dear Ms Talbot:

The Louisiana Board of Ethics, at its May 7, 2021 meeting, considered your request for an advisory opinion as to whether your voluntary position on the board of a non-profit organization would be a violation of the Louisiana Code of Governmental Ethics.

FACTS PROVIDED

You are currently a board member of Pointe Coupee Early Childhood Coalition ("PCECC"), a nonprofit that works with the community to promote preschool education. You recently joined the Louisiana Department of Education ("LDE") as a member on the Academic Content Team within the Office of Teaching and Learning.

Your position at PCECC is strictly voluntary and non-compensated, and is not an elected position.

PCECC seeks grants and other funding from LDE from time to time.

LAWS

La. R.S. 42:1112B(3) states that no public servant shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any person of which he is an officer, director, trustee, partner, or employee has a substantial economic interest.

La. R.S. 42:1111C(2)(d) provides that no public servant and no legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, shall receive any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person during his public service unless such services are: (d) Neither performed for nor compensated by any person or from any officer, director, agent, or employee of such person, if such public servant knows or reasonably should know that such person has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency.

ANALYSIS

As a member of the PCECC board, you would be prohibited under La. R.S. 42:1112B(3) from participating as an employee of LDE in any transaction in which PCECC has a substantial economic interest.

As you serve PCECC on a voluntary, non-compensated basis, your service on the PCECC Board while employed by LDE would not be a violation of La. R.S. 1111C(2)(d).

CONCLUSION

The Board concluded, and instructed me to inform you, that the Code of Governmental Ethics would not prohibit you to serve as a non-compensated member of the board of PCECC while simultaneously employed by LDE, provided that you do not participate as an LDE employee in any transaction in which PCECC has a substantial economic interest.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

Charles E. Reeves, Jr.
For the Board